

temporaneous sediments, which gradually consolidate into rocks. It is well known that both gold and silver are found in sea-water, and under favourable conditions deposits of those metals may still be going on in some of the rocks now forming at the bottom of the ocean.

It would be impossible to detail in a paper of this kind the number of minute observations made extending over many years, and forming a strong chain of evidence leading up to the same deductions. I have therefore endeavoured to lay before the Royal Society an outline of the views I have formed on this subject—one of some scientific interest, and of great practical importance to this colony—partly with the hope of inducing other labourers to enter the field. Whatever advance may be made will not be due to investigations conducted in the closet only, but it must in a great measure depend on the careful and intelligent noting of the facts observed by those engaged in practical mining.

At present these observations only add to individual experience, and unfortunately pass away with the individual; but if some system could be adopted for collecting and arranging the facts noted by different observers, say some plan similar to that by means of which Maury has given such an impulse to navigation, I believe an equal impulse would be given to our mines, through the greater certainty a knowledge of the laws which govern the deposition of metals would give to mining enterprise.

It may even be worthy of consideration whether a section of this Society might not be usefully employed in carrying out some plan of collecting and arranging the observations now lost.

ART. XVIII.—*The Ethics of Opinion and Action.*

By H. K. RUSDEN.

[Read 9th September, 1867.]

MR. CHAIRMAN AND GENTLEMEN OF THE ROYAL SOCIETY,

It may be considered that I owe you some apology for venturing to ask your attention to a paper in the form of that which I am about to read; as it is in fact, simply a critique upon an article in *Frazer's Magazine*. Still though only a review, it contains as quotations all the salient portions of the essay criticised; and I think that the mode

which I have adopted of approaching the subject is not without some important advantages. It leads at once to a fundamental principle in the heart of the question, and avoids all those metaphysical labyrinths in which the real points at issue are so often lost, and in which the difficulties appear all the more colossal, as they are purely imaginary. We all know the magnifying properties of the lens of fancy. I will only premise that this paper was written without any intention of thus producing it; without indeed any definite purpose whatsoever; but when I was hesitating as to its disposal, it was suggested to me that it would be desirable to introduce some such variety into your proceedings.

I now proceed to consider the Ethics of Opinion and Action; or how far men are properly liable to praise or blame, reward or punishment, for their thoughts or actions.

THE ETHICS OF OPINION AND ACTION.

In questions of historical or legal evidence, of mathematics, of logic, or of any practical science, the final human test of truth, is consistency; of doubtful alternatives, choice is invariably determined by their respective degrees of consistency with what has been previously, in the same way, apprehended and accepted as most certain. Reasoning itself is nothing but the process by which that which IS, is distinguished from that which IS NOT; and that which is consistent with experience, from that which is inconsistent with it. If there be an axiom which must be universally regarded as absolutely certain and impregnable, it is this: that a thing cannot *be*, and *not be*, at the same time. And simply because the one is inconsistent with the other. Of so great importance then is consistency. Even such an axiom as that quoted would have to give way, were aggregated experience at any time in future to furnish preponderating evidence of facts with which it would be clearly inconsistent. Of course such a revolution in the primitive data upon which human knowledge and reasoning are founded, cannot be imagined; and I only propose it to show that even in our most fundamental judgments, consistency is, as I at first stated, our final test of truth.

In matters of opinion, however, it is surprising (or would be so but for certain considerations), how far this universal criterion is disregarded; either as inadequate, or as too stringent, it is often treated as inapplicable. We find among men

of every degree of ability, many who are accustomed to entertain some theoretical opinions which they must fail to find consistent with others that they regard as alike incontrovertible, as well as with the principles upon which they instinctively act every day of their lives. Of this, of course, they are wholly unconscious, having in one way or another, generally as children, imbibed certain views as bases of their judgments of right and wrong, which in after reasoning they assume as uncontested starting points or fixed data, and therefore never question; they shun all investigation of them as unnecessary and profitless, and shelve them when circumstances force anomalies upon their notice, as "mysteries," inexplicable or sacred.

We find that in practical physical matters, similar prejudices are now and then assailed, and slowly but surely exploded, as inconsistent with the facts of progressive scientific discovery. The difficulty with which new inventions and discoveries are adopted, is sufficient proof of the power of habit and custom to obstruct the exposure of time-honoured delusions. I need only to name Galileo, Harvey, Jenner, and George Stephenson, as my witnesses. In such cases, however, facts are indeed stubborn things, and though the old fallacies die hard, they must succumb.

With matters of opinion, and especially of moral philosophy, the case is unfortunately different. For from their nature, theoretical errors obtain a stronger and far more insidious hold upon the human imagination. They are easier of acquisition, and more difficult to extirpate; for in practical life we are rarely brought into a position to observe their antagonism to the facts calculated to expose them; and when we are, we are generally so engrossed with instinctively getting out of the passing difficulty, that we either entirely overlook the discrepancies, or postpone consideration of them till a more convenient season, which seldom arrives. In the hurry of life they are thus neglected by many of the thoughtful, as well as by all the thoughtless; for the former frequently live so little in the crowd that they meet with few favourable opportunities of checking and correcting their philosophy, while the latter have no philosophy to check. And it is not upon all the thoughtful, nor upon all among them who are also busy and observant, but simply upon a few of that section of them, who, having the inclination and opportunity, are also enabled to secure sufficient leisure to prosecute such studies, that all have really to

depend for progression in abstract opinions. So varied and so rare, even among philosophers, are the conditions requisite to enable them to become discoverers of truth and expositors of error for their generation.

I confess that I should be fairly liable to the charge of presumption were I to pretend to intellectual qualifications superior to those of my neighbours for the study of mental and moral philosophy; but when I state that for so much aptitude as I may have, I am conscious of deserving no credit whatever, I trust that I may stand acquitted of undue egotism and impertinence. The principal advantages which I conceive myself to possess for such investigations, are, a positive defect of memory which few will envy, but by which, happily, I am partially relieved from the incubus of prejudice; a profound conviction of the supreme importance of the subject, and a determination to pursue consistently the principle stated by Mr. John Stuart Mill in his late "Inaugural Address," pp. 32, 33. He there says that we learn from the ancient dialecticians, "To question all things; never to turn away from any difficulty; to accept no doctrine either from ourselves or from other people without a rigid scrutiny by negative criticism, letting no fallacy or incoherence, or confusion of thought, slip by unperceived; above all, to insist upon having the meaning of a word clearly understood before using it, and the meaning of a proposition before assenting to it." I would that I could invariably fulfil this rule.

I consider that the transcendent importance of consistency is even greater in thought and opinion, than in physical science; in consequence of our greater liability to imbibe, and the far greater difficulty of escaping from fallacies of that description; and having lately stumbled in *Frazer's Magazine* upon some passages which appear to me to be wholly inconsistent with the general principles enunciated and forcibly illustrated in the same entertaining and instructive article, and also to furnish an unusually favourable opportunity of exposing their inconsistency and the fallacy upon which they appear to me to be based; I seize the occasion presented, not only of doing so, but at the same time of paying a deserved tribute to the general enlightened cosmopolitanism of the author.*

* See *Frazer's Magazine*, March 1867, pp. 316—329. "Concerning the Treatment of those who differ from us in Opinion."—By "A.K.H.B."

It is almost needless for me to add to the statement that the article is signed "A.H.K.B.," that it is excellently written; and almost throughout distinguished by a liberality of spirit and an acuteness of discrimination, which render the expression in it of an opinion, which I conceive exhibits diametrically opposite characteristics, so much the more astonishing. I shall consider myself fortunate if, in animadverting upon it, I accomplish three objects which I have in view—to draw attention to the admirable lessons interspersed throughout the treatise—to show that the illiberal sentiment to which I take exception is not involved in, but rather contradicts, the general principles advocated by the author; and what is of most importance, to arouse thought and discussion on the subject generally.

It might tend to defeat my first specified intention, were I to quote so much from the essay as to satisfy the curiosity of those who have not read it, as to more than the general drift of the arguments, for the whole of it is well worth the careful study of all those who may have the opportunity of reading it. I shall therefore only mention how clearly it is shown that the spirit of intolerance which prompted burning (while burning was possible) those who differed in opinion from the burners, is not obsolete, but still animates all those who misrepresent, or cut, or even avoid, or PRAY PUBLICLY for, or do anything but endeavour to convince those holding different opinions.

"Whenever you try to bully a man out of his opinion instead of reasoning him out of it: whenever you attempt any form or degree of physical or moral intimidation, you are showing that you WOULD burn an opponent if you had the chance, or if you durst."* The illustrations given by "A.K.H.B." in verification of this conclusion, should, I think, carry conviction even to the most prejudiced mind. What advanced large-mindedness is shown in the paragraph commencing:

"It is good for us to see and know people who differ from us in opinion, politically, theologically, ecclesiastically, æsthetically. It is a great mistake to live always among those who think exactly as you do. You will grow very narrow, very self-sufficient; you will get a quite foolish idea of your own infallibility and importance. I have known good

* See *Frazer's Magazine*, March 1867, pp. 321. "Concerning the Treatment of those who differ from us in Opinion."—By A.H.K.B."

“men, more than one or two, who would have been much “better and more useful had they occasionally met and conversed with people who did not agree with them.”* The same spirit of liberality speaks to the conclusion of the essay.

How much more pleasant it is to bear testimony to the merits than to the defects of anyone, but particularly of one whom we respect! But as Iago says, “I am nothing, if not critical.” The passage to which I wish particularly to advert is this (p. 318):

“Now, no doubt, to think wrong, is wrong; and deserves “blame. Nobody has a right to form a wrong opinion.” Now this dictum appears to me calculated to open the door to the worst forms of intolerance, and to be opposed to the fundamental principles of moral criticism. Let us examine it closely and test it at once, by applying it to an ordinary though an extreme case.

I ask, do you not blame a murderer for murdering, solely because you believe that he THOUGHT RIGHTLY—that to murder was wrong? And do you not exempt him from blame exactly in so far as you believe that he may have THOUGHT WRONGLY, that to murder was right? If a murderer really think himself right in killing his victim, you may call him insane or stupid, but you could not BLAME him any more than you would blame the victim were he in self-defence to kill his intending murderer; he, in so doing would assuredly think himself right. You blame the murderer, distinctly BECAUSE you assume that he knew better—that he THOUGHT RIGHTLY; and that he acted in opposition to what HE THOUGHT was right. You blame him NOT, if you have reason to believe that he THOUGHT (WRONGLY) that to murder would be right. For erroneous (*i.e.*, wrong) thought, you not only do not blame, but for the same reason you actually also forbear to blame for ACTS, which you would otherwise regard as blameable. Thus, if a man’s thought and act concur, he cannot be a proper object of blame. If he act contrary to what he think right (*i.e.*, unconscientiously), he will be as justly amenable to evil consequences as if he put his finger in the fire. If he act as he think right (*i.e.*, conscientiously), you cannot blame him. Consequently, a man cannot properly be blamed for what he thinks, nor punished but for what he does. Consequently, also, thought must be blame-

* See *Frazer’s Magazine*, March 1867, pp. 327. “Concerning the Treatment of those who differ from us in Opinion.” By “A.K.H.B.”

less, even if erroneous; and as the only valid excuse for an erroneous thought or act is, that it co-exists with unconsciousness of error, and is the best or rather absolute result of constitution, education, and circumstances united: thought must be essentially instinctive in its origin and inevitable, being beyond the option or control of the man; in one word, INVOLUNTARY. Punishment for evil acts, is nevertheless, incontestably justifiable and necessary, as a warning to possible offenders and for security to all, whether such acts be perpetrated conscientiously or unconscientiously, whether the thought and act concur with the agent or not.

That no one may misunderstand my use above of the word INVOLUNTARY, I must explain, that though, physiologically, motions of which the cerebro-spinal nervous system forms the medium, are, generally speaking, contradistinctively called voluntary, and those which are produced through the sympathetic nervous system, involuntary; still both are actually involuntary. The true distinction I conceive to be this: The cerebro-spinal system receives peripherally afferent impressions, which cause, or are at the nervous centre converted into, corresponding efferent expressions or motions, as necessary, and strictly speaking, involuntary consequences. Such motions being mostly external, we become so far conscious of them sensationally. In the sympathetic system, and in the case of all those nerves not concerned in so-called voluntary action, the afferent impressions and the consequent efferent expressions are internal or insensible, and therefore further removed from our observation and cognizance; hence they are technically regarded as more involuntary than the others. Both, however, are equally absolute consequences of their antecedents. My use of the word INVOLUNTARY, is therefore popular rather than technical; but I adopt it, because I recollect no other so well calculated to express repudiation of the common fallacy, that motions which are both physiologically and popularly called voluntary, are caused by the will alone, and not by external impressions. Such a theory is clearly incompatible with the ascertained scientific fact, that all efferent expressions have their full adequate causes in afferent impressions. In fact, afferent nerves would otherwise be entirely superfluous and useless, for there would then be two adequate causes of the same effects.

In connection with this part of my subject, I would point out one or two other ways in which the freewill theory is most

obviously inconsistent and logically untenable. For the only way, on the free-will theory, by which I believe it has ever been imagined or asserted that man could be morally responsible for his acts or thoughts, is to assume that he is himself the sole or first cause of them. Now, the whole doctrine of first causes is ostensibly and confessedly built upon the indisputable axiom, that everything must have a cause, for *ex nihilo nihil fit*. But in deducing such a conclusion from that premiss, it is most unaccountably overlooked that the very principle postulated is directly violated and contradicted, for a **FIRST CAUSE** is essentially and indisputably **THAT WHICH HAS NO CAUSE!**

And if, admitting here for the sake of argument, as the best means of refuting the theory by showing its inherent contradictions, that men's acts could be thus **UNCAUSED**, they must then be simply the result of **CHANCE**, a mere word, which all scientific experience proves to be expressive of some unknown quantity representative of causes which man is incompetent, or will not trouble himself to trace. The natural genesis of the metaphysical theory of freewill in the superficial notion of chance, and that of the theological doctrine of predestination in the empirical conviction of necessary causation (which has thus been degraded into something really indistinguishable from "blind Asiatic fatalism" personified), has been most strikingly and suggestively exhibited by Mr. Buckle, in the first chapter of his "History of Civilisation."*

Again, it should be clear that so far from affording a valid basis for moral responsibility, the doctrine of freewill must effectually destroy it. For if a man, or any being, have no natural tendency, motive, or disposition whatever, towards one course of action rather than another, if he be really free, he cannot possibly be blamed or responsible for acting in any conceivable manner; for if he act in any one manner without a motive, he certainly has none for acting otherwise under the premised conditions. If he **ACQUIRE** any such tendency, he must **FIRST** have a susceptibility for acquiring it, for motion cannot originate uncaused; and if he have originally a susceptibility equally appropriative of good and evil tendencies, he still cannot be responsible for the priority or nature of the external impressions by which he may be affected. If he have any original inherent bias

* Longmans, 1867, pp. 9—11.

in favour of good or of evil, that bias must inevitably determine or form his predominant motive, until superseded by a stronger opposing motive, when the first would no longer be predominant. But in either case freedom is incompatible, not only with the superseding motive, but also with the original bias ; for when either exists, it must constitute a predominant motive until superseded by a stronger. This is as clear and simple as changing the weights in a pair of scales ; for neither can man's imagined will, nor any other power, make a lighter weight preponderate, nor a weaker motive overcome a stronger.

The sentence which succeeds that which I last quoted from "A.K.H.B.," is evidently intended, but entirely fails, as a kind of compromise. He says, "But we have learned that great lesson of toleration which the world took many ages to learn ; that for his HONEST BELIEF, man is indeed responsible, but responsible solely to his Maker."* For the words "HONEST BELIEF," clearly involve, that the best use of abilities and circumstances has been made, otherwise they would be inappropriate and impertinent. Over his original constitution and opportunities, as a man cannot be justly held or supposed to have any control, so therefore he cannot possibly be held responsible for them. How has the world "learned that great lesson of toleration," but by learning that any man's belief is the necessary result of his constitution and circumstances ? And that therefore for such belief he cannot be justly held responsible ? For so far as that constitution and those circumstances are MADE by his MAKER, that MAKER alone must be responsible for them, and not the man who had no possible selection of or control over them. This is essentially not transferring to a more competent hand merely the right to blame and punish, but the entire responsibility for erroneous belief is what is really transferred. This cannot be evaded. When "A.K.H.B." says that he sees "that Almighty God LOOKS ON at us, going through life thinking so differently, and VOUCHSAFES TO US NO UNMISTAKABLE INFORMATION "which of us is right," † whom does he make responsible for that want of information ? Those who strive painfully after information, or him who withholds it ? It is very easy to say that perhaps "the difference is not one to make any very bitter fight about." ‡ But the difference here at issue is vital, involving the very bases upon which we erect our moral

* Longmans, p. 318.

† *Ibid*, p. 319.

‡ *Ibid*, p. 319.

judgments. When "A.K.H.B." says, "There are some views which show not merely a wrong head, but some moral perversion,"*—who is responsible for the wrong head and moral perversion, if not the maker of the one and governing cause of the other? When he says, "There was a man, a year or two ago, who maintained by argument that he had a perfect right to murder his wife and children, and who acted on that BELIEF. Society said to him, 'WE SHALL NOT DISCUSS THE QUESTION WITH YOU; only your ways of thinking and ours are so opposed, that it is plain we cannot both go on together; and as you are in the minority, you must give way, so we shall hang you.' Thus society hanged him, and it unquestionably SERVED HIM RIGHT." † To this I also say, yes, quite right; BECAUSE that was the only way to convince him, and others like or unlike him, that the right which he claimed (and which neither "A.K.H.B." nor society appear to have been able to dispute), included that evil consequence to himself. This he appears to have been so stupid as to fail to understand: That in the last resort, power constitutes right, cannot be consistently denied. Nature confers upon every man a right to do whatever she gives him power to do; BUT, she annexes appropriate and inevitable consequences to every act, and gives man generally, also, reason and capacity to judge from experience of them, what is best, or wisest, or right to be done, and what is worst, or foolish, or wrong; according as those consequences may be probably good or evil to himself. To consequences then, and to consequences only, can man be properly said to be responsible. Self-interest is the only natural, valid, efficient basis of morals. Even in those systems with which man, presumptuously dissatisfied with nature's administration, has endeavoured to supersede natural morality by imagining supernatural and unnatural rewards and punishments, the same principle is still in fact invariably adopted, but wholly stultified and rendered abortive by the distance and uncertainty of the motives proposed. As a general rule, to which there are now I believe but a few doubtful exceptions, all physical force acts inversely as the square of the distance, whether in time or space; and moral power is simply the indirect operation of physical force. Also, though it may appear precipitate to assert or assume that the same absolute proportion subsists between moral, as between physical causes and effects, experience

* Longmans, p. 39.

† *Ibid*, p. 319.

proves that in the former, an analogous relation indisputably obtains, though in some cases it may be more difficult to measure or apprehend ; but can any good reason be given why the ratio may not be absolutely identical in every instance ?

But is it quite right of "A.K.H.B." to say next, "There is a difficulty, here of course. I find difficulties now in most things,"* and offer no solution. He here quite naively leads us into "a difficulty" as he himself calls it ; such a difficulty as to induce him to express strongly a principle at direct variance with the whole tenor of his essay, and then leaves us there, without offering so much as a word to help us out. Is this philosophical ?

WHY did it serve the man right ? In the very words put by "A.K.H.B." into the mouth of society, the question of the propriety of blame is tacitly yielded ; and why ? Clearly because the man's thought and act concurring, it could not be contested that what is stated to have been his BELIEF, was sincere. The man may have been, and probably was, insane, but incontestably he was conscientious, and therefore blameless. "A.K.H.B." himself refrains from asserting his culpability, but he refrains also from explaining why. Yet he says that hanging him "unquestionably SERVED HIM right." This again he leaves unexplained, and the next paragraph is devoted simply to magnifying the difficulty. First, he proceeds to say that doubtless it is so desirable (in his opinion) to prevent certain opinions of the Mormons from being generally accepted, that it is well to CRUSH them by the readiest means within reach. Then perhaps anticipating a natural suggestion of stakes and faggots, he tantalises and perplexes us by saying, "On the other side books have been burnt by the hangman because they set out opinions which "all intelligent people now accept as true and right." † Can he state that those people who caused the books to be burnt were LESS intelligent than "all intelligent people now," or their principles less "true and right" than his own ? What has made those opinions since appear true and right, but the accumulated experience, matured judgment, and scientific knowledge, of succeeding generations ? And what guarantee have we that posterity may not similarly discard as immoral the opinions of those now designated "all intelligent people ?" ‡

* Longmans, p. 319.

† *Ibid.*, p. 39.

‡ *Ibid.*, p. 319.

“A.K.H.B.” proceeds:—“To emancipate a certain large class of our countrymen from cruel penal laws, would be a national sin ; so, once upon a time, declared many worthy men and worthy old women. By-and-bye, the nation discerned that it was not a sin, but a duty.” That was when its knowledge was sufficiently increased. “Some day the king’s mails will go by railway, and railways will be the great highroads of this country ;” so said old George Stephenson : and for thinking so, and saying so, he was hounded down as a mischievous fool. Read the reports of the abuse heaped on that great man, before the committee of Parliament on the Liverpool and Manchester railway : and you will see how perilous a thing it is for a man to be a great deal wiser than his generation. Yes, it is an awful charge, to be the only man that knows some great truth, flatly opposed to the common way of thinking. Either you must be a miserable sneak, shamming a conformity with errors and prejudices you despise : or you must set your face to a lifelong strife, obloquy, and misrepresentation.* Good ! but what does all this tend to prove, but that we have no test whatever of the justness of new opinions, which must not give way to that of their stability, or more extensive adoption, as men become generally wiser ? And that the novelty of an opinion, and the fact that it violently shocks the prejudices of good persons, do not constitute sufficient reasons for refusing to submit it to experiment ; or at least to severe, open, and impartial investigation and discussion. That subjects usually esteemed sacred cannot be excluded from the category, is conclusively proved by “A.K.H.B.,” when he adduces more than one pointed illustration of that description.

But “A.K.H.B.,” instead of endeavouring to help us out of the difficulty in which he landed us, and of reverting to the case of the man whom society hanged, which obviously called for the explanation he failed to offer, goes off “to think of some of the ways in which people have been found to treat such as differed from them in opinion.”† Let us attend to the murderer’s case. “A.K.H.B.” said distinctly, that the man in question “ACTED ON HIS BELIEF” ; thus indirectly or directly admitting that he was therefore blameless, and he does not blame him. Yet he says, hanging him “SERVED HIM RIGHT.” So say I. I accept “A.K.H.B.’s” statement of the case, of his “difficulty,” but I decline to pass it by without offering a

* Longmans, p. 319.

† *Ibid*, p. 320.

solution. I demur also to his use of the words, "SERVED HIM." My reason shall appear presently.

Society DID right in removing the man, for he had forfeited his right to its protection, by violating that of others to the same. And society would have been justified in removing him in ANY manner BEST CALCULATED to prevent repetition or imitation of his act. For society in dealing with him, should regard, not HIS FORFEITED interest, but that of its more worthy members; of its aggregate body. "Prisoner at the bar," said a wise English judge, "You will be hanged, not because you have stolen a horse, but in order that horses may not be stolen," condensing into one sentence the whole true principle of moral and penal legislation.

But as it was in effect conceded that the man who murdered his wife and children ACTED ON HIS BELIEF—as his thought and act concurred—as thus he was CONSCIENTIOUS, society would have clearly done wrong to BLAME him. Blame thus is not only entirely unjust, but essentially mischievous. For no man ever, NATURALLY, feels himself deserving of it. It is notorious that nearly (if not) every man instinctively finds ample excuses for his own conduct in any conceivable circumstances; and I maintain, that though a man may, in one way, blame himself for errors in conduct, not only will he energetically deny the justice of blame experienced from another, but he will in every case deny, EVEN TO HIMSELF, that his errors have been other than of judgment. Instinctively, necessarily, and rightly too. I challenge each man's impartial introspection. Nothing but the most cowardly abdication of thought, and abject servility to a false education and a paralysing superstition, could ever delude a reasoning being into believing himself, even theoretically, actually WORSE THAN HIS OWN DEGRADED NATURE. Surely the most certain and effectual way to become everything villainous and base, is to believe one's self such already. If this be so, blame does not and cannot operate salutarily on anyone, but simply arouses feelings of antipathy, reciprocation of the blame; and as a person who blames is past reason (for every excuse advanced appears to him only an aggravation of the offence), it is but the unique and prolific source of mutual hatred and all uncharitableness.

The fact is, that A. K. H. B.'s "difficulty" lies in his failure to recognise the broad distinction which nature teaches us, between the improper subjection to blame, and the legitimate amenability to punishment, of any offender. Nature is our

best and unerring tutor and example. Nature never fails to punish, never condones an offence, not even the first; she invariably punishes for evil acts done—even those persons whom man would blindly call morally innocent rather than none. Children often really suffer for the errors of their parents, an anomaly which it is simply impossible to justify by any fantastic, unnatural principles, which are thereby proved to be entirely illusory. We know that by an inexorable necessity this is so, and can discover that we are thus furnished with an invaluable rule of conduct and pattern of government. Should we not hence learn that our common notions of morality are as factitious and unnatural as they are notoriously unsuccessful and nugatory? Is it not true that our administration of praise and blame is but a chimerical and pernicious device to govern thought, while neglecting to modify its antecedents? That its causes being unchanged, thought being involuntary, must be ungovernable; and that the judicious distribution of physical pleasures and pains, is the only real and operative method of governing human beings. Through our balancing of imaginary desert for praise and blame do we not frequently—aye, and consciously, mismeasure punishment, or withhold it altogether?—yes, incontestably; and hence the glaring inefficiency of our retributory laws; criminals, at least, know only too well how to appreciate the consequent impunity they enjoy.

As a striking illustration of the fact that our ordinary notions of moral responsibility are not only arbitrary but inconsistent, and that the propriety of blame is not a necessary corollary of that of punishment, I would here point out that exactly in proportion as we find in a child a strong inherent tendency or original propensity to a bad habit; so do we, failing other means, augment punishment until we succeed in counteracting it. Notwithstanding that we must to the same extent exonerate the child from culpability for what we know to be a constitutional defect; and therefore the more we punish the less we blame. Is not the pain we feel in inflicting such punishment an instinctive testimony or acknowledgment that it is not merited? That we administer it with sorrow, but with the knowledge also, that like the amputation of a limb, it is indispensable to future welfare?

All nature's punishments are exactly proportioned to the offence, and are absolutely certain in their accomplishment. Who questions this impugns the justice of nature or of God. Nature's punishments are unquestionably not always in-

flicted solely upon the offenders themselves. Indeed, the errors of individuals are frequently visited far more heavily upon other members of society. And how admirable are the consequences of this fact! For it is precisely thus that society acquires a direct interest which it could not otherwise possess, in discouraging in all, those acts, the evil consequences of which would else have to be learned by each individual in his own experience, while society would be but a passive disinterested spectator. But for this apparent injustice, one of the most stringent bonds by which society is established and held together, would be altogether wanting.

Both nature's punishments and her rewards are inevitable and necessary consequences of breaches of that universal law of self-interest which is the basis of her beautiful self-adjusting system, that administers itself so harmoniously. But nature as certainly neither blames nor praises; and knowing how infallible is her administration and how perfect her code, can we do better than obey her precepts and follow her instructions? When a limb mortifies, is not amputation necessary to preserve life? On the same principle I say, society DID right in hanging the murderer. But should I be justified in saying so if I suppressed my reasons?

I object to "A.K.H.B.'s" words, "SERVED HIM right," for they convey to my mind an idea of even exclusive regard to his (the murderer's) interest instead of to that of the rest of society, the unworthy as well as the worthy portion; the first requiring a salutary warning, and the second effective security against such conduct. He cancelled his title to any consideration when he incurred the penalty decreed by society to those who violate that of others. Still, why, "SERVED HIM right"? As if the EVIL of his crime could be quantitatively estimated and balanced, by the EVIL of his punishment! Why, as respected even HIM, must not the first evil in its natural consequences have been enough? And what did the second but double it? Swell the account of evil! Evil simply multiplied! As I before pointed out, the sole province of society is to govern its body; to secure the good, to warn, to instruct, and to convince the bad, by effectual arguments; even by the punishment, removal, or destruction of its hopelessly useless members; in fact to utilise them as visible examples of the evil consequences of bad acts.

If the supposition of a *post mortem* rectification of the imagined unequal apportionment of good and evil to indi-

viduals during life, were entirely pertinent in discussing the value of a secular basis for morality, it should materially help rather than militate against my argument. For we should feel all the LESS scruple at removing a mischievous or dangerous person by death, if any injustice he may suffer here, can be compensated hereafter. Whereas, the ordinary arguments used by the opponents of capital punishment would lead us to suppose that it is better to be unjustly cruel to innocent society, and as unjustly merciful to the unworthy criminal, than to send him where society would be simply rid of him, and where it is imagined that he will certainly meet with absolute and infallible justice.

But the passage which I have principally questioned contains also such a simple error of logic, that it would be amazing how so competent a writer could have fallen into it, if it were not that it furnished such a ready way of its kind of attaching blame, (in conformity with ordinary sectarian habits and prejudices) to persons whom I have shown nevertheless to be blameless, according to "A.K.H.B.'s" own principles. Let me explain where this error lies, though to many it must be obvious enough. He says, "To think wrong, is wrong;" meaning, to think incorrectly, is culpable; or, an error of judgment involves turpitude. He entirely confuses between the wholly distinct and different meanings of the word "WRONG," viz., error with, and error without, evil intention. That I interpret his words correctly, is I think unquestionable; for the second "wrong," he at once himself defines as equivalent to "deserved blame;" and the first is next made, by a slight inflection, to mean "a wrong opinion."

Whether however my views be accurate or not, if those who read "A.K.H.B.'s" essay be led, by their own thoughts or by my suggestions upon this part of it, to adopt the same or a better method of treating its obvious inconsistencies, and to advance in moral science; it is clear that the very defects of the treatise may prove its most valuable portion. For, whereas, as regards the major part of it, with which all must concur, our moral judgment must remain in *statu quo*; the section most open to the charge of inconsistency and error, is the very one best calculated, with attention, to produce healthy thought and an improved moral perception and standard. In this conviction I take leave of "A.H.K.B.'s" essay with feelings of unalloyed satisfaction. The general subject, the most important that can engross attention, is, I

hope, fairly revived for general consideration. The positions which I have endeavoured to establish are these: That men's opinions and actions are involuntary, and must therefore be blameless; that we learn from experience that rewards and punishments, but for acts solely, are necessary, natural, beneficial, and just; at the same time that praise and blame are essentially unnatural, unjust, and pernicious. That blame is not only factitious and fallacious in principle, but also entirely mischievous in its effect; defeating the ostensible object of its invention by rendering punishment nugatory to a far greater extent than that to which it supplants it. That blame is merely antipathy and hate, under a surreptitious aspect and an evasive name. That were praise and blame abolished, reward and punishment would be immeasurably more efficacious, if only consistently administered. That man's moral responsibility, traced home, resolves itself into the fact that he is subject to the necessary consequences, good or bad, of his own acts. To such consequences, and to such consequences only, man is really and properly responsible. He is naturally responsible to natural consequences for observing or violating the laws which experience prescribes as necessary to preserve his life, health, and general well-being; and morally responsible to social consequences for violating or conforming to those imposed by the society in which he lives. Ignorance does not exempt from natural penalties, and rightly too. For otherwise experience of them could never be acquired, and utter ignorance would remain the constant condition of human nature; whereas by its invariability only, does experience become reliable as a rule of conduct. Society is, undoubtedly, to a certain extent unable to exact its penalties with infallible regularity; and unfortunately, but with a diffidence which seems not altogether inexcusable, it wavers and falters in the infliction of many of those which it should execute. Thus it deviates, and with most pernicious results, much further from the perfect rule afforded by nature, than its comparatively imperfect constitution really renders unavoidable; and I urge, that in fine, the main object of society should be to follow implicitly the example of nature, by making its rewards and punishments as certain and as consistent as hers.

If these principles be, as I think, as novel, as I feel them to be both consistent and important, some fresh light may be considered to have been thrown upon the subject, and possibly some service done to humanity. It has, so far as I am aware,

been hitherto invariably assumed by the advocates of the doctrine of liberty, as well as by those of that of necessity, that the justice of blame, whether asserted or denied, is involved in and inseparable from that of punishment. Even Mr. J. S. Mill is most unaccountably reticent on this point. He appears to evade entirely and constantly, any consideration whatever of praise and blame. But I believe I have shown that there is no necessary connection between the two; that the one is powerful for evil, and the other for good. The vital inconsistencies, and therefore invalidity of all other moral systems with which I am acquainted, can be distinguished almost as readily and clearly as their utter futility as guides of human conduct. I have long ceased to wonder at their abortive results. The appalling numbers of our fellow-creatures which our traditional systems consign or leave to a fate of hopeless degradation, crime, and misery, must be apparent to the most obtuse; and resignation to such results appears to me one of the worst and most lamentable of them all. Large numbers of men and women of all classes are notoriously immoral; and current theories which pretend to be adequate or adapted to make them moral, are therefore glaring failures or impostures. Therefore the present state, and the principles of society indisputably demand a radical reform.

But should my system be proved, which I take leave to doubt, to be as inconsistent and worthless as the rest, still it seems not impossible that its consideration may give a clue to a better. Let my proposition, then, be discussed, and may the speedy result be such as all good men will delight to witness—consistency, and therefore truth, in the theory; and purity in the practice of morality.

ART. XIX.—*On the Species of Wombats.* (Abstract.)

By PROFESSOR M'COY.

[Read 9th September, 1867.]

Professor M'Coy laid on the table well-preserved skins and osteological preparations from the series he had caused to be prepared for the National Museum, of all the known species, both good and doubtful, of the genus *Phascolomys*, and explained their characters in detail.